

Courtroom Minute Entry

Room: Beckley
Caption: USA v. Cayla Danielle Lindsay

Case No.: 5:21-mj-00016
Judge: Omar Aboulhosn

Type: IA & Pre-DH

Started: 5/6/2021 3:34:10 PM
Ends: 5/6/2021 3:43:01 PM **Length:** 00:08:52

Judge Omar Aboulhosn
Courtroom Deputy: Tammy Davis
Court Reporter: CourtSmart
AUSA: Timothy Boggess
CJA Panel Attorney: Kristopher Faerber
Defendant: Cayla Danielle Lindsay
USPO Assistant: Justin Arthur

INITIAL APPEARANCE ON CRIMINAL COMPLAINT

3:36:09 PM Judge Omar Aboulhosn
3:36:11 PM Calls case
3:36:18 PM Would counsel please note your appearances for the record?
3:36:20 PM AUSA: Timothy Boggess
3:36:21 PM Notes appearance on behalf of the United States.
3:36:22 PM CJA Panel Attorney: Kristopher Faerber
3:36:24 PM Notes appearance on behalf of the defendant who is seated to my right.
3:36:26 PM Judge Omar Aboulhosn
3:36:28 PM States basis of the defendant's arrest
3:36:31 PM States rights of defendant and defendant acknowledges these rights.
3:36:49 PM Defendant: Cayla Danielle Lindsay
3:36:53 PM States personal information
3:36:58 PM Judge Omar Aboulhosn
3:37:00 PM The Court has reviewed the financial affidavit submitted by the defendant and finds the defendant does
3:37:02 PM qualify for court-appointed counsel.
3:37:08 PM Orders the appointment of Mr. Faerber to represent the defendant in this case.
3:37:12 PM States additional rights of defendant and defendant acknowledges these rights.
3:37:18 PM States violation(s) in charging document and possible penalties.
3:37:33 PM The defendant has a right to a Preliminary Hearing to determine if there is probable cause.
3:37:37 PM **The Preliminary Hearing will be held before me on Monday, May 10, 2021 at 11:00 a.m. in Beckley.**
3:37:48 PM The United States has filed a Motion for Detention Hearing.

PRE-DETENTION HEARING

3:38:00 PM **PRE-DETENTION HEARING**
3:38:01 PM Due to COVID-19, we will have a Pre-Detention Hearing today.
3:38:14 PM AUSA: Timothy Boggess
3:38:18 PM Proffers to the Court as to the defendant's criminal history and recent actions. The defendant tested
3:39:11 PM positive for drug use today, your honor.
3:39:29 PM CJA Panel Attorney: Kristopher Faerber
3:39:35 PM Proffers to the Court as to her release
3:39:59 PM Judge Omar Aboulhosn
3:40:01 PM With her being on home confinement, drug use is prohibited.
3:40:20 PM She has not complied with terms and conditions, Mr. Faerber.
3:40:32 PM CJA Panel Attorney: Kristopher Faerber
3:40:34 PM Yes, your honor, she does have a significant drug use problem and is 27 weeks pregnant.
3:40:52 PM Offers suggestions as to various forms of release for the Court's consideration.
3:41:15 PM AUSA: Timothy Boggess
3:41:18 PM Proffers to the Court
3:41:23 PM Judge Omar Aboulhosn
3:41:25 PM For the purpose of today's hearing - the fact she is 27 weeks pregnant and is using drugs, I will order
3:41:45 PM she be detained today.
3:41:54 PM I will direct probation to work with you Mr. Faerber as to a possible placement for her drug use.
3:42:25 PM We will have a full Detention Hearing on Monday with the benefit of having a Pretrial Services Report.
3:42:49 PM In the meantime, the defendant is remanded to the custody of the United States Marshals pending the
3:42:50 PM Preliminary and Detention Hearings on Monday.

3:42:52 PM Is there anything else we need to take care of?
Hearing adjourned